



05-05-05

IFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/730,566
	Filing Date	December 8, 2003
	First Named Inventor	Blackwell-Thompson, et al
	Art Unit	3644
	Examiner Name	Tien Dinh
Total Number of Pages in This Submission	Attorney Docket Number	7784-000467/DVA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement As To Previous Timely Mailing with attachments (5 pages) Amendment and Response dated December 22, 2004 with attachments (19 pages) Return Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Elizabeth D. Odell	Reg. No. 39,532
Signature			
Date	May 4, 2005		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Elizabeth D. Odell	Express Mail Label No.	EV 317349915
Signature		Date	May 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 317349915 US



EV 317349646 US



EXPRESS

MAIL

UNITED STATES POSTAL SERVICE®

Label 11-F June 2002

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 63117	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 12 22 04	Postage \$ 33.45	Return Receipt Fee \$
Mo Day Year 12 22 04	Time In 5:40 PM	Int'l Alpha Country Code 025
Weight 6 lbs 8.4 ozs	Acceptance Clerk Initials	Total Postage & Fees \$ 33.45
to Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> Signature of Addressee (Required) Only Additional insurance fees insurance is void if address or address is not correct. If delivery employee's signature is not on the label, the label is void. If delivery employee's signature is on the label, the label is valid proof of delivery.		

CUSTOMER USE ONLY

METHOD OF PAYMENT Express Mail Corporate Acct. No. 483944	Postage Agency Acct. No. 0000000000
--	-------------------------------------

FROM: (PLEASE PRINT) PHONE 314.726.7500

HARNESSE, DICKEY & PIERCE, PLC
7700 BONHOMME AVE STE 400
SAINT LOUIS MO 63105-1932

TO: (PLEASE PRINT) PHONE

COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA VA 22313-1450

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



GALLERIA POSTAL STORE
SAINT LOUIS, Missouri
631171100

12 22 2004 2871440187-0097 05:40:14 PM
(800)275-8777

Product Description	Sale Qty	Unit Price	Final Price
ALEXANDRIA VA 22313			\$33.45
Express Mail PO-ADD			
Serial Number EV317349646US			
Next Day Noon / Normal Delivery			
Paid by account:			\$33.45
EMCA account number:			483944
Total:			\$0.00

Paid by:

Bill#: 1000301433453
Clerk: 08

— All sales final on stamps and postage. —
Refunds for guaranteed services only.
Thank you for your business.
Customer Copy

Applicant:	Blackwell-Thompson et al	Client Matter #	7784-000467/DVA
Serial/Patent #	10/730,566	Filing/Issue Date	December 8, 2003
Title:	SYSTEM AND METHODS FOR INTEGRATING A PAYLOAD WITH A LAUNCH VEHICLE		

Please acknowledge receipt of:

Transmittal (1 page)
Amendment and Response to Office Action (10 pages)
Copy of Property Rights Statement to Doe and/or NASA (4 pages)
Copy of Letter to Licensing and Review dated 6.10.04 (2 pages)
Copy of Letter to Licensing and Review dated 12.22.04 (2 pages)
Copy of Form PTOL-456 (45 Day Letter) mailed 4.26.04 (1 page)

Express Mail No. EV 317349646US

By stamping and returning to Harness, Dickey & Pierce, P.L.C.		USPTO Date Stamp
Mailed:	December 22, 2004	Attorney: EDO/dmkd



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/730,566
Filing Date: December 8, 2003
Applicant: Blackwell-Thompson, et al
Group Art Unit: 3644
Examiner: Tien Dinh
Title: SYSTEM AND METHODS FOR INTEGRATING A
PAYLOAD WITH A LAUNCH VEHICLE
Attorney Docket: 7784-000467/DVA

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

STATEMENT AS TO PREVIOUS TIMELY MAILING

Sir:

On or about April 17, 2005 a notice of abandonment was issued in error in this application. On September 22, 2004 the Examiner had mailed a non-final office action. On December 22, 2004, an Amendment and Response to Office Action, copies of documents related to this application, a return postcard, and a Transmittal Form were sent by the "Express Mail Post Office to Addressee" service of the United States Postal Service, in an envelope bearing Express Mail Label No. EV 317349646 US and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Copies of the Amendment and Response to Office Action, related documents, return postcard, Transmittal Form, mailing label and Postal Service receipt are included

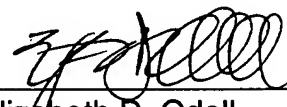
EV 317349915 US

herewith. The undersigned's certificate of mailing is included in the enclosed Transmittal Form. To the best of the knowledge of the undersigned attorney, Applicants' Amendment and Response to Office Action was mailed in a timely manner to the Commissioner for Patents.

Applicants request that the notice of abandonment be withdrawn. If there are any questions regarding this filing, please contact the undersigned attorney at (314)726-7521.

Respectfully submitted,

Dated: May 4, 2005


Elizabeth D. Odell
No. 39,532

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDE/EDO/



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/730,566
Filing Date: December 8, 2003
Applicant: Blackwell-Thompson, et al
Group Art Unit: Unknown
Examiner: Unknown
Title: SYSTEM AND METHODS FOR
INTEGRATING A PAYLOAD WITH A LAUNCH
VEHICLE
Attorney Docket: 7784-000467/DVA

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attn: Licensing and Review

LETTER

Sir:


This letter is in response to the Form PTOL-456 (45 Day Letter) mailed April 26, 2004, a copy of which is enclosed. This letter shall confirm that the above invention was made with Government support under Contract Number NAS-10-11400 awarded by the National Aeronautics and Space Administration (NASA). Enclosed for filing is a preliminary amendment to amend the above application to include the foregoing statement.

It is my understanding that you will forward the enclosed preliminary amendment to the Technology Center for processing. If you need any further information, or if it would expedite the prosecution of the above application,

please telephone the undersigned at (314) 726-7521. Thank you for your assistance.

Respectfully submitted,

Dated: June 10, 2004

By: 
Elizabeth D. Odell

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDE/EDO/dmkd

7784- (00467/DVA)
45 Day Resp. Req.
Due 6/10/04



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/730,566	12/08/03	BLACKWELL-THOMPSON, ET AL.	7784-000467/DVA

HARNES, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER	
ART UNIT	PAPER NUMBER

PATENT & TRADEMARK OFFICE

DATE MAILED: MAILED

APR 26 2004

Scanned and
sent to:

Cash/Keele
S-6-04

LICENSING & REVIEW

IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED

The subject matter of this application appears to:

- ☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- ☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4191

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW